

# **HISTORIC PRESERVATION COMMISSION**

## **Minutes**

December 13, 2007  
Salisbury, North Carolina

The Historic Preservation Commission for the City of Salisbury met in regular session on Thursday, December 13, 2007, in the Council Chambers at the City Hall, 217 S. Main Street.

The meeting was called to order by the Chairperson, Anne Lyles. She welcomed all persons present and explained the meeting's purpose and procedures.

The following members were present and introduced: Jack Errante, Ronald Fleming, Deborah Johnson, Judy Kandl, Andrew Pitner, Kathy Walters

Absent: Susan Hurt, Anne Waters

### **Requests for Certificates of Appropriateness**

H-52-07    **302 W. Monroe St.** – Daniel & Laura Almazan, owner;

**Request:** Add parking area behind the house off of S. Jackson St.; material will be brick pavers to match the existing patio.

Daniel Almazan was sworn to give testimony for the request. Staff presented slides.

Daniel Almazan reminded the Commission the request was presented at the November meeting and will now present a more simplified drawing and more pictures for clarification.

As slides were shown, Mr. Almazan informed the Commission that the gate swing should be on the opposite end, rather than as shown, in order to swing out so that the gate can be easily opened and closed. The gate will be stockade fencing.

In response to a question from Kathy Walters, Mr. Almazan said, "I am proposing this without adding a second gate."

He testified that there is an alley behind the property that will be utilized along with the existing curb-cut, and there will be only 1 parking space rather than 2, as submitted at the last meeting. He stated that the size of the parking space would not impact the back yard. An existing tree will be replaced with shrubbery, and the same brick pavers as the patio will be utilized.

In response to Judy Kandl, Mr. Almazan said the existing walkway would be removed in order to make room for shrubbery, and for another tree to replace the tree that will be removed.

Ms. Kandl made the following observations:

- (1) The configuration of the driveway is not typical of an alley entrance.

She stated that the guidelines reference working with the precedent of the configuration of existing driveways.

- (2) The back yard is so small, even with the single parking space 20-25% of the back yard would be parking, in addition to the existing patio.

Kathy Walters asked Mr. Almazan if brick paving would be extended to the sidewalk that crosses the curb cut; to which he responded “Yes”.

Wendy Spry will check with the city engineer to make sure there would be no problem with putting brick pavers on a public alley.

The Chair stated that any approval should be contingent upon that fact.

There was no one present to speak in support or opposition to the request.

Kathy Walters made the following motion: “I move that the Commission find the following facts concerning Application #H-52-07 – that Daniel Almazan, owner of 302 W. Monroe St. appeared before the Commission and sought a Certificate of Appropriateness to add a brick paved parking area behind the house off of S. Jackson St., matching their patio; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 4 – Site Features & District Setting – Driveways & Off-street Parking, pages 60-61, guidelines 1-7, 9, and 11-14 of the Residential Historic District Design Guidelines; therefore, I further move that a Certificate of Appropriateness for Application #H-52-07 be granted to Daniel & Laura Almazan, owners of 302 W. Monroe St., to make the changes detailed in the application with the contingency that the request changes meet all city guidelines for public alleys.

Ronald Fleming seconded the motion; members Errant, Fleming, Johnson, Pitner, and Walters Voted AYE; member Kandl voted NO.

H-55-07      **217 S. Church St.** – First United Methodist Church, owner  
**Request:**      Installation of lights as per submitted site plan; to match existing light,  
                         installation of recessed lights on Bank Street façade for security purposes.

Dewey Peck, Chairman of Trustee Board at the church, was sworn to give testimony for the request.

Dewey Peck informed the Commission that the church needs supplement lighting on the property. He testified that they would like to add lighting around the building on the E. Fisher St. side that will be identical to the existing lighting. Lighting on the Bank St. side, which now has no lighting, will be recessed into the soffits. The hole, he said, would be 4 inches, and 14 150-watt lights beaming directly downward would be installed. He testified that the only flood toward the street would past the curb but not shine toward the center of the street. He said, “We took that action in order not to interfere with the privacy of the 2 neighboring houses over there.”

In response to a question from Judy Kandl, Mr. Peck stated that there was a light at the side of the door on the Bank St. side but no flood lighting of the entire wall at all.

Mr. Peck further testified, in response to a question from Judy Kandl, that no other options were considered because the recessed lighting was best for the church's needs. He stated that up lighting would create more problems because of issues they have with the shrubbery, and up lighting could be easily broken.

Judy Kandl stated that in her observance of other churches around town, she has not seen one that has lighting in the soffit. She said, "I am trying to get an image of what this will look like because it is quite different than the solutions that have been used in other places." She then suggested the possibility of pole lighting; however, Mr. Peck said pole lighting would light the entire area and would be difficult to shield from the adjoining properties.

In response to a question from Jack Errante who asked if the lighting would be on a timer, Mr. Peck said solar switches would be placed on each light; they will come on at dark and go off at light.

There was no one present to speak in support or opposition to the request.

Wendy Spry informed the Commission that she had received a phone call from adjoining property owner, Barbara Perry, to find out exactly what the plan was, but did not speak of any objection.

Ronald Fleming made the following motion: "I move that the Commission find the following facts concerning Application #H-55-07 – that Dewey Peck, applicant for First United Methodist Church, owner of 217 S. Church Street, appeared before the Commission and sought a Certificate of Appropriateness to install lights as per submitted site plan to match existing lights, and install recessed lights on the Bank Street façade for security purpose; that no one appeared before the Commission to support or oppose this request, this request should be granted based on the Interior Standards for Rehabilitation, and Chapter 4 – Site Features and Site Setting – Lighting, 4.4, page 61, guidelines 1-6 of the Non-Residential Historic District Design Guidelines; there are no mitigating factors; therefore, I further move that a Certificate of Appropriateness for Application #H-55-07 be granted to Dewey Peck, applicant for First United Methodist Church, owner of 217 S. Church St., to make the changes detailed in the application."

Jack Errante seconded the motion; all members present voted AYE.

H-56-07     **428 N. Ellis St. – Historic Salisbury Foundation, owner**  
**Request:**   Removal of concrete porch slab and replace with ¾" x 3" tongue and groove wood.

Jack Thomson was sworn to give testimony for the request.

Mr. Thomson began by apologizing to the Commission for having already completed the proposed work without an approved Certificate of Appropriateness. Mr. Thomson stated that the structure is in the Historic Salisbury Foundation's revolving fund properties.

Slides were shown of the house before the work was done and slides as the work was in progress.

Mr. Thomson testified that as existing materials were being removed, fairly modern building materials were found which indicates that not all the materials were original. He pointed out the concrete slab that was removed and the 2x4 which served as a ledger to hold the trailing edge of the concrete slab. In addition, there were traces of paint found on the siding below the top elevation of the concrete indicating that the concrete was not original.

Mr. Thomson informed the Commission that the porch is of wood construction with a tongue & groove floor measuring approximately 3" in width, ¾" deep with. The deck material of the porch floor is treated for weather proofness, and will be painted Battleship Gray.

Mr. Thomason stated that the existing foundation of the house was a mismatch of cinderblock; however, a new footing was laid to support the foundation and brick was used as the wall. He requested a recommendation from the Commission as to whether the stucco finish on the remainder of the house should remain, and also their recommendation on the modern ventilation vents that were added. The steps, he said, are brick and match the foundation.

Jack Errante noted that Mr. Thomson's submitted application was for the approval of a concrete slab; however, other items have been added for the same certificate. He said, "It concerns me that we would go ahead and approve any of this based on that;" but rather the Commission should first approve the porch which has already been done. Everything else, he continued, should be presented later in detail.

Mr. Thomson said it was obvious that Mr. Errante's observation was correct in that he was trying to add items which came about during the process.

Janet Gapen reminded the Commission that it was procedurally proper to amend an application. She said it is usually addressed when the motion is made.

Kathy Walters stated that Mr. Thomson has the ability to do more research on the appropriate appearance of the new brick and appropriate steps. She said, "I really feel that wooden steps would be more appropriate." She said that brick steps on a wood porch would look unusual.

Jack Errante further stated that there are alternatives for vents as well. He noted that Mr. Thomson did not present anything to show what types of vents could possibly be put in instead of the plastic type.

Kathy Walters stated that she would not be comfortable with a ruling until more research was done.

Deborah Brazee, adjoining property owner at 420 N. Ellis St., was sworn to speak in opposition to the request.

Ms. Brazee spoke in opposition to the brick steps, the width of the tongue and groove and the vents. She said the brick steps look too new and do not match the existing bricks; the tongue and groove on the porch does not match her porch, the sister house; and the vents look atrocious and cheap.

Ms. Brazee recommended that Mr. Thomson consider doing a French drain along the side of the house rather than wells. She said the drainage from her property to the other would continue to cause moisture.

In response to a question from Jack Errante, Ms. Brazee said old brick from around the 1800's, that is handmade, is available. She said, "It is not too hard to get and makes a world of difference in how it looks."

Following further comments from Commission members, Jack Thomson chose to withdraw the application and resubmit for another meeting.

Wendy Spry, in response to Judy Kandl, who asked what happens when someone begins work without a Certificate of Appropriateness, explained that there is a civil citation that can be issued when work has been done and the property owner is not willing to submit an application for approval. She would first give a written warning, and then issue a \$50 fine if nothing is done to rectify the situation, then it goes to \$100, and can up to \$100 p/day.

Jack Thomson said to the Commission that they might want to consider a way to handle a situation when someone comes to get an approval to do some amount of work that might snowball into something else, as his project did. He said, "With this type of work there are so many unknowns that do tend to pop up."

Judy Kandl informed Mr. Thomson that the guidelines are being rewritten and that issue is being addressed in the re-written guidelines.

## **Other Business**

Minor works approval: There were no questions regarding the submitted minor work approvals.

## Goals

Janet Gapen presented the HPC highlights from the 2007 calendar year which include the following:

- Distributing with the Certificate of Appropriateness some type of form that would be posted visibly to let the public know that an approval has been made for the work to be done in order to increase the awareness to others that the COA is a requirement.

Staff plans to use the form as a test during the new fiscal year.

- Staff made a presentation to the Board of Realtors in August 2007.

Ms. Gapen requested that everyone, during the next month, be thinking about goals that they would like to submit and give her a call to let her know. She named the goals that would be included again, such as the grant program, public awareness initiatives, informing new residents, continuance of preservation month events, and training.

Ms. Gapen asked the members to observe the 2006-07 goal listing which she had prepared showing the goal and how each stood as far as being accomplished or not.

Suggestions named at the meeting from the members included the following:

- Kathy Walters: The evaluation of the boundaries of the existing local historic districts.
- Anne Lyles: Extending the districts into other areas.

Ms. Gapen stated that the goal last year for boundary expansion was not funded. She said it has been a request each year but comes down to the money not being available. Andrew Pitner stated that he would like to see the Commission support Fulton Heights in becoming a local district.

- Judy Kandl: The expansion of the demolition ordinance to include all the historic districts.

Kathy Walters also suggested the possibility of research to determine if there would be need for a separate Commission for Downtown and one for Residential especially when Fulton Heights becomes a district because they have some many properties. She said, "I can see the volume becoming unmanageable."

Jack Thomson asked if the Commission had considered a fee for submitting an application. He said it could affect the City Council's reactions regarding other funding issues that the Commission might seek.

Kathy Walters commented that a fee is something that they had not discussed but she thought it might be a detriment for some of the districts. Janet Gapen said it might be something to be brought up periodically.

### **Announcement**

The HPC annual meeting will be held January 24<sup>th</sup> at City Hall, 2<sup>nd</sup> Floor Conference Room, 5-7 p.m.

**Minutes**

Consideration of the November minutes was deferred to the next meeting.

**Adjournment**

There being no other business to come before the Commission the meeting was adjourned at 7:00 p.m.

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Anne Lyles, Chairperson

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Judy Jordan, Secretary